

IAP7 Rec'd PGT/PTO 01 AUG 2006

PATENT

Atty. Docket No: 2901PCTUS (203-3634PCTUS)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Chapman, et al.

SERIAL NO. : 10/552,666

EXAMINER: Unassigned

FILED : October 4, 2005

GROUP ART UNIT: Unassigned

FOR : ELECTROSURGICAL INSTRUMENT WHICH REDUCES
THERMAL DAMAGE TO ADJACENT TISSUE

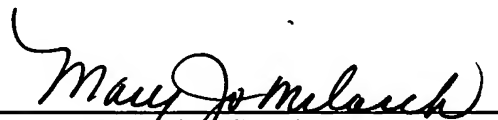
CERTIFICATE OF MAILING

Date of Deposit: July 28, 2006

I hereby certify that the following:

- ☒ This Certificate of Mailing
- ☒ Response to Notice to File Missing Parts of Nonprovisional
Application-Filing Date Granted
- ☒ Notice to File Missing Parts of Nonprovisional Application
- ☒ Copy of executed Combined Declaration and Power of Attorney
- ☒ Return postcard

are being deposited with the United States Postal Service first-class mail on the Date of Deposit indicated above in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Mary Jo Milacek

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PATENT

Attorney Docket No.: 2901PCTUS (203-3634PCTUS)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Chapman, et al.

Examiner: Not assigned

Serial No.: 10/552,666

Art Unit: Not assigned

Filed: October 4, 2005

For: Electrosurgical Instrument Which Reduces Thermal Damage
To Adjacent Tissue

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED**

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted, dated June 14, 2006, Applicant encloses herewith a properly executed copy of Declaration and Power of Attorney in compliance with 37 C.F.R. § 1.63 along with a copy of the Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted. Please charge the required fee of \$130.00 to cover the surcharge under 37 C.F.R. § 1.16(e) to Deposit Account No. 21-0550.

08/07/2006 MKAYPAGH 00000175 210550 10552666

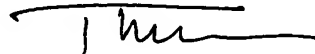
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Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17, at any time during the pendency of this application, or credit any overpayment of such fee(s), to Deposit Account No.

21-0550. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Date: 7/28/06

Respectfully submitted,



Thomas A. Beaton
Registration No. 46,543

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PCF



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

10/552,666

2901PCTUS(203-3634PCTUS)

INTERNATIONAL APPLICATION NO.

PCT/US04/13273

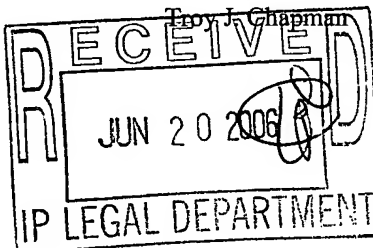
I.A. FILING DATE

PRIORITY DATE

04/29/2004

05/01/2003

United States Surgical,
a Division of Tyco Healthcare Group LP
150 Glover Avenue
Norwalk, CT 06856



CONFIRMATION NO. 7217

371 FORMALITIES LETTER



OC000000019255221

Date Mailed: 06/14/2006

Formal Papers Due: Aug. 14, 2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/04/2005
- Copy of the International Search Report filed on 10/04/2005
- Copy of IPE Report filed on 10/04/2005
- Information Disclosure Statements filed on 01/17/2006
- Request for Immediate Examination filed on 10/04/2005
- U.S. Basic National Fees filed on 10/04/2005
- Priority Documents filed on 10/04/2005
- Specification filed on 10/04/2005
- Claims filed on 10/04/2005
- Abstracts filed on 10/04/2005
- Drawings filed on 10/04/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/552,666	PCT/US04/13273	2901PCTUS(203-3634PCTUS)

FORM PCT/DO/EO/905 (371 Formalities Notice)